

**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO (CANTON)**

IN RE:

MICHAEL L. SNYDER
MELISSA R.A. SNYDER

Debtors

* Case No. 18-62088
* Chapter 7
* Chief Judge Russ Kendig
* Trustee Josiah L. Mason
*
* **NOTICE OF MOTION**
* **TO AVOID LIEN**

Debtors, by and through counsel, have filed papers with the Court to Avoid the Judgment Lien filed by Capital One Bank.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this Bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the Court to grant the Motion, or if you want the Court to consider your views on the motion, then on or before November 9, 2018, you or your attorney must file with Court a written request for a hearing and written response setting forth the specific grounds for objection at:

Clerk of Courts
U.S. Bankruptcy Court
401 McKinley Avenue, SW, Canton, OH 44702

If you mail your response to the Court for filing, you must mail it early enough so the Court will **receive** it before the date above. The Court's mailing address is 401 McKinley Avenue, SW, Canton, OH 44702.

You must also mail a copy to:

- ❖ Deborah L. Mack, Attorney for Debtors
53 Main Street, Lexington, OH 44904
- ❖ Josiah L. Mason, Trustee,
153 W Main St, Ashland, OH 44805
- ❖ United States Trustee
200 Public Square, #20-3300, Cleveland, OH 44114

Attend the hearing scheduled to be held on November 26, 2018 at 3:00 p.m.
United States Bankruptcy Court, 401 McKinley Ave, SW, Canton, OH 44707.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Motion, and may enter an Order granting the relief requested.

Date: October 19, 2018

Respectfully submitted,

/s/ Deborah L Mack #0067347
Attorney Deborah L. Mack, JD/MBA
53 East Main Street, Lexington, OH 44904
419.884.4600 * 800.410.3620 facsimile
Attorney for Debtors
debbie@ohiofinancial.lawyer

CERTIFICATE OF SERVICE

I certify that on October 19, 2018, a true and correct copy of Motion to Avoid was served:

Via the Court's Electronic Case Filing System on these entities and individuals who are listed on the Court's Electronic Mail Notice List:

- **Deborah L. Mack** Debbie@OhioDebtRelief.Lawyer,
- **Josiah L. Mason** jlmasontrustee@zoominternet.net
- **United States Trustee** (Registered address)@usdoj.gov

And by regular US Mail, postage prepaid, on:

Capital One Bank USA NA, ATTN: Bankruptcy Department, PO Box 30285, Salt Lake City, UT 84130.

PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541

Michael & Melissa Snyder, 2861 Snyder Rd, Bellville, OH 44813.

All creditors on the matrix attached hereto and made a part hereof.

/s/ Deborah L Mack

**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO (CANTON)**

IN RE:

MICHAEL LEE SNYDER
MELISSA RAE ANN SNYDER
Debtors

* Case No. 18-62088
* Chapter 7
* Judge Russ Kendig
* Trustee Josiah L. Mason
*
* **MOTION TO AVOID LIEN**

Now comes the Debtors, by and through counsel, and herein requests that this Honorable Court allow them to avoid a judgment lien that impairs the exemptions on her residence:

1. The real property is more particularly described as follows:
 - a. 2861 Snyder Rd, Bellville, OH 44813.
 - b. The Richland County Tax Auditor has determined that the fair market value for the real property is \$210,240.00.
 - c. Permanent Parcel Number: 0491203710001.
 - d. See legal description attached hereto and made part hereof.
2. Debtors are the owner of this real property.
3. Debtors have a mortgage with an approximate balance of \$138,708.00 with Westfield Bank on the real property.
4. Capital One Bank USA NA, by and through counsel, received a Judgment for approximately \$1,222.19 plus interest, late charges and other fees/costs against Debtor in Case Number 2017 CJ 82193 in Richland County Common Pleas Court on or about March 3, 2017.
5. A Judgment Lien No. 2017 CJ 82193 was filed with the Richland County Court of Common Pleas on March 3, 2017 for Capital One Bank USA NA, by and through counsel.

6. This Judgment Lien impairs the \$136,925.00 homestead exemption for each of the Debtors.

WHEREFORE, the Debtors requests that this Honorable Court allow them to strip the Judgment Lien that impairs the homestead exemptions of the Debtor filed by Capital One Bank USA NA.

Respectfully submitted,

/s/ Deborah L Mack #0067347
Attorney Deborah L. Mack, JD/MBA
53 East Main Street, Lexington, OH 44904
419.884.4600 * 800.410.3620 facsimile
Attorney for Debtors
debbie@ohiofinancial.lawyer

CERTIFICATE OF SERVICE

I certify that on October 19, 2018, a true and correct copy of Motion to Avoid was served:

Via the Court's Electronic Case Filing System on these entities and individuals who are listed on the Court's Electronic Mail Notice List:

- **Deborah L. Mack** Debbie@OhioDebtRelief.Lawyer,
- **Josiah L. Mason** jlmasontrustee@zoominternet.net
- **United States Trustee** (Registered address)@usdoj.gov

And by regular US Mail, postage prepaid, on:

Capital One Bank USA NA, ATTN: Bankruptcy Department, PO Box 30285, Salt Lake City, UT 84130.

PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541

Michael & Melissa Snyder, 2861 Snyder Rd, Bellville, OH 44813.

All creditors on the matrix attached hereto and made a part hereof.

/s/ Deborah L Mack

SURVEYOR'S DESCRIPTION FOR
MICHAEL SNYDER

12.066 Acres

BK: 2061 PG: 819

Situated in the Township of Worthington, County of Richland, State of Ohio, being part of the Northeast Quarter of Section 8, Township 21, Range 17 and being more particularly described as follows:

Commencing at a stone found in the northeast corner of said Northeast Quarter;

Thence N 89° 45' 17" W, 120.64 feet along the north line of said Northeast Quarter to a point being in the centerline of Snyder Road (T.H. 388), said point being referenced by an iron pin set N 89° 45' 17" W, 18.48 feet from said point and being the **true place of beginning**;

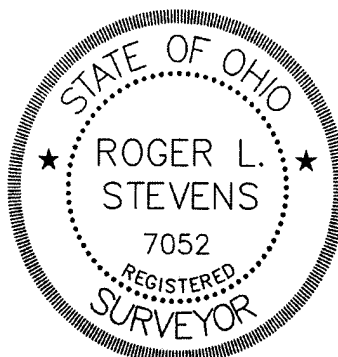
Thence with the following **NINE** courses;

- 1) **Southwesterly** along said centerline of Snyder Road (T.H. 388) **on a curve to the right** having a radius of 380.00 feet, an arc length of 88.32 feet, a delta angle of 13° 19' 03", a chord length of 88.13 feet and a chord bearing of S 41° 41' 16" W to a point of tangency, said point being referenced by an iron pin set N 41° 39' 13" W, 15.00 feet from said point;
- 2) S 48° 20' 47" W, 422.96 feet and continuing along said centerline of Snyder Road (T.H. 388) to a point of curve, said point being referenced by an iron pin set N 41° 39' 13" W, 15.00 feet from said point;
- 3) **Southwesterly** and continuing along said centerline of Snyder Road (T.H. 388) **on a curve to the right** having a radius of 2,155.55 feet, an arc length of 291.41 feet, a delta angle of 07° 44' 45", a chord length of 291.19 feet and a chord bearing of S 52° 13' 10" W to a point of curve to curve, said point being referenced by an iron pin set N 33° 54' 28" W, 20.00 feet from said point;
- 4) **Southwesterly** and continuing along said centerline of Snyder Road (T.H. 388) **on a curve to the right** having a radius of 245.00 feet, an arc length of 136.57 feet, a delta angle of 31° 56' 16", a chord length of 134.81 feet and a chord bearing of S 72° 03' 41" W to a point of tangency, said point being referenced by an iron pin set N 01° 58' 11" W, 20.00 feet from said point;
- 5) S 88° 01' 49" W, 135.06 feet and continuing along said centerline of Snyder Road (T.H. 388) to a point of curve, said point being referenced by an iron pin set, N 01° 58' 11" W, 15.00 feet from said point;
- 6) **Southwesterly** and continuing along said centerline of Snyder Road (T.H. 388) **on a curve to the left** having a radius of 675.00 feet, an arc length of 189.07 feet, a delta angle of 16° 02' 54", a chord length of 188.45 feet and a chord bearing of S 80° 00' 21" W to a point of tangency, said point being referenced by an iron pin set N 18° 01' 06" W, 15.00 feet from said point;
- 7) S 71° 58' 54" W, 108.08 feet and continuing along said centerline of Snyder Road (T.H. 388) to a point;
- 8) N 09° 25' 40" W, 651.83 feet to an iron pin set in the north line of said Northeast Quarter;
- 9) S 89° 45' 17" E, 1,263.17 feet to the **true place of beginning** and containing 12.066 acres, more or less, and subject to all legal highways and easements of record.

Bearings are to an assumed meridian and are used to express angles only.

All iron pins set are 5/8" diameter reinforcing rod with plastic cap stamped "STEVENS 7052".

According to a survey made in December 2010 by Roger L. Stevens, Ohio Registered Surveyor No. 7052.



Roger L. Stevens
Roger L. Stevens
Registered Surveyor No. 7052
SM1544B20

NEW SPLIT
RICHLAND COUNTY
TAX MAP OFFICE
EAK 16-2-11
INITIAL DATA
CC-96

Label Matrix for local noticing
0647-6
Case 18-62088-rk
Northern District of Ohio
Canton
Thu Oct 18 15:50:52 EDT 2018

Agland Co-Op, Inc
PO Box 369
Canfield, OH 44406-0369

Andrew Schreiber
471 E Broad St 12th Fl
Columbus, OH 43215-3806

Attorney General of United States
Dept of Justice Tax Div Civil
Trial Section, Northern Region
PO Box 55
Washington, DC 20044-0055

Capio Partners
2222 Texoma Pkwy Ste 150
Sherman, TX 75090-2481

Capitol One Bank USA Na
PO Box 85015
Richmond, VA 23285-5015

Chase Bank USA, N.A.
PO Box 36520
Louisville, KY 40233-6520

Chex Systems
780 Hudson Rd Ste 100
Saint Paul, MN 55125

Cole Distributing, Inc.
PO Box 112
Shelby, OH 44875-0112

Custom Manure Hauling LLC
2573 Township Rd 687
Loudonville, OH 44842-9571

PRA Receivables Management, LLC
PO Box 41021
Norfolk, VA 23541-1021

Ally Financial
PO Box 380901
Bloomington, MN 55438-0901

Anthony C Sallah
200 Public Sq Ste 2300
Cleveland, OH 44114-2309

Bechtel Services Inc.
6900E Lincoln Hwy
Wooster, OH 44691-8613

Capital One
Attn: Bankruptcy
Po Box 30285
Salt Lake City, UT 84130-0285

(p)US BANK
PO BOX 5229
CINCINNATI OH 45201-5229

Chase Card
PO Box 15298
Wilmington, DE 19850-5298

Chex Systems
7805 Hudson Rd Ste 100
Saint Paul, MN 55125-1703

Credence Resource Management LLC.
17000 Dallas Pkwy Ste 204
Dallas, TX 75248-1940

DHI Cooperative Inc.
PO Box 28168
Columbus, OH 43228-0168

United States Bankruptcy Court
Ralph Regula U.S. Courthouse
401 McKinley Avenue SW
Canton, OH 44702-1745

Amer Assist
PO Box 26095
Columbus, OH 43226-0095

Ashland Implement, Inc.
1145 Cleveland Ave
Ashland, OH 44805-2714

Byland Animal Hospital
529 Wooster Rd
Loudonville, OH 44842-1395

Capitol One Bank USA Na
PO Box 30281
Salt Lake City, UT 84130-0281

Centerra Co-Op
PO Box 1297
Ashland, OH 44805-5297

Cheek Law Offices
471 E Broad St Ste 1200
Columbus, OH 43215-3842

Civista Bank
PO Box 790408
Saint Louis, MO 63179-0408

Credit Collection Services
PO Box 607
Norwood, MA 02062-0607

Debt Recovery Solutions
1669 Lexington Ave
Suite A
Mansfield, OH 44907-2944

Direct TV
PO Box 5007
Carol Stream, IL 60197-5007

ERC
PO Box 23870
Jacksonville, FL 32241-3870

Eagle Loan Company of Ohio Inc
331 Lexington Springmill Rd #135
Ontario, OH 44906-1373

Elzy Milling & Trade Ltd.
25 E Ogle St
Bellville, OH 44813-1028

Farmers State Bank
11 South Main St
West Salem, OH 44287-9702

Farmers State Bank
PO Box 179
Loudonville, OH 44842-0179

Farmers and Savings Bank
PO Box 179
Loudonville, OH 44842-0179

(p)FIRST KNOX NATIONAL BANK
P O BOX 1270
MT VERNON OH 43050-1270

Furst McNess Company
120 E Clark St
Freeport, IL 61032-3300

Genox Cooperative Inc.
PO Box 469
Shawano, WI 54166-0469

Gerber Feed
3094 Moser Rd
Dalton, OH 44618-9074

Global Credit & Collection Corp
5440 N Cumberland Ave Ste 300
Chicago, IL 60656-1486

HSBC Bank Nevada
1111B Town Center Dr
Las Vegas, NV 89144

Harold's Equipment, Inc.
2120 Co. Rd 168
Dundee, OH 44624-9247

Heritage Cooperative
PO Box 369
Canfield, OH 44406-0369

Hill's Supply, Inc.
2366 Locust St
Canal Fulton, OH 44614-9100

(p)INTERNAL REVENUE SERVICE
CENTRALIZED INSOLVENCY OPERATIONS
PO BOX 7346
PHILADELPHIA PA 19101-7346

J & R Spraying
PO Box 206
Chesterville, OH 43317-0206

John Deere Financial
PO Box 4450
Carol Stream, IL 60197-4450

Kevin L String
68 Olive St Ste 6
Chagrin Falls, OH 44022-3117

L.E. Sommer Kidron, Inc.
PO Box 230
Kidron, OH 44636-0230

Lyons, Doughty, & Veldhuis
471 E Broad St 12th Fl
Columbus, OH 43215-3806

Mansfield Municipal Court
30 N Diamond St
Mansfield, OH 44902-1738

Mast Lepley
7787 E Lincolnway
Apple Creek, OH 44606-9574

Millersburg Tire Service Inc.
7375 St Rt 39 E
Millersburg, OH 44654-8319

Mitchell D. Bluhm & Associates, LLC
3400 Texoma Pkwy Ste 100
Sherman, TX 75090-1916

Nationwide Credit
PO Box 10354
Des Moines, IA 50306-0354

Nationwide Insurance
1050 Lexington Ave
Mansfield, OH 44907-2248

Nicholas S Laue
230 Fulton St E
Grand Rapids, MI 49503-3211

Ohio Attorney General
150 E Gay St
Columbus, OH 43215-3130

Ohio Attorney General
30 E Broad St
Columbus, OH 43215-3400

Ohio Bureau of Workers' Comp.
PO Box 89492
Cleveland, OH 44101-6492

(p)OHIO DEPARTMENT OF JOBS AND FAMILY SERVICE
ATTN DONN D ROSENBLUM
P O BOX 182404
COLUMBUS OHIO 43218-2404

Ohio Dept of Taxation
Attn Bankruptcy
PO Box 530
Columbus, OH 43216-0530

Orange Lake/Wilson Resort Finance
8505 W Irlo Bronson Memorial Hwy
Kissimmee, FL 34747-8217

PHI Financial Services
c/o Slovin & Assoc Co, L.P.A.
644 Linn St Ste 720
Cincinnati, OH 45203-1733

Philip B. Willette Co LPA
PO Box 26042
Columbus, OH 43226-0042

(p)PORTFOLIO RECOVERY ASSOCIATES LLC
PO BOX 41067
NORFOLK VA 23541-1067

Progressive Auto Insurance
6300 Wilson Mills Rd
PO Box W33
Mayfield Village, OH 44143-2182

RMS
PO Box 361598
Columbus, OH 43236-1598

Refrigeration 77, LLC.
5807 CR 77
Millersburg, OH 44654-9275

Richland Bureau of Creditors
PO Box 1548
Mansfield, OH 44901-1548

Richland County Common Pleas
50 Park Ave
Mansfield, OH 44902-1896

Richland County Prosecutor
Civil Division
38 S Park St #2
Mansfield, OH 44902-1717

Richland County Treasurer's Office
50 Park Ave E
Mansfield, OH 44902-1895

Robert Snider
2862 Snyder Rd
Bellville, OH 44813-9153

Robert Snider
c/o Richard Snider
2862 Snyder Rd
Bellville, OH 44813-9153

Samaritan Emergency Physicians
433 W High St
Bryan, OH 43506-1690

Samaritan Regional Health
1025 Center St
Ashland, OH 44805-4097

Semex
PO Box 8280
Madison, WI 53708-8280

Shirley Ann Snyder
6059 Possum Run Rd
Bellville, OH 44813-9199

Spring Electrical Construction
1500 E Lindaire Ln
Mansfield, OH 44906-1830

Sunshine Heifers LLC
3900 S Lindsay Rd
Chandler, AZ 85286-9301

Synchb/Ashley Furniture
PO Box 965036
Orlando, FL 32896-5036

Synchb/Sams Club
PO Box 965005
Orlando, FL 32896-5005

Synchb/JC Penney
PO Box 965007
Orlando, FL 32896-5007

Synchrony Bank
PO Box 965036
Orlando, FL 32896-5036

TD Bank USA
c/o Target Credit Services
PO Box 1470
Minneapolis, MN 55440-1470

The Receivable Management Services
PO Box 361598
Columbus, OH 43236-1598

Transworld Systems Inc.
Collections Agency
500 Virginia Dr Ste 514
Fort Washington, PA 19034-2707

United States District Court
Northern District- Eastern Division
ATTN: Clerk of Courts
801 W Superior Ave
Cleveland, OH 44113-1829

Weltman Weinberg & Reis Co LPA
323 W Lakeside Ave Ste 200
Cleveland, OH 44113-1009

Westfield Bank
2 Park Circle
Westfield Center, OH 44251-9744

Deborah L. Mack
53 E Main Street
Lexington, OH 44904-1224

Josiah L. Mason
Canton
153 W Main Street
PO Box 345
Ashland, OH 44805-0345

Melissa Rae Ann Snyder
2861 Snyder Road
Bellville, OH 44813-9154

Michael Lee Snyder
2861 Snyder Road
Bellville, OH 44813-9154

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4) .

Cardmember Services
PO Box 790084
Saint Louis, MO 63179

(d)ELAN Financial Services
PO Box 108
Saint Louis, MO 63166-0108

First Knox National Bank
1 S Main St
Mount Vernon, OH 43050

IRS
200 N High St Room 425
Columbus, OH 43215

(d)IRS
Insolvency Group
1240 E 9th St Room 493
Cleveland, OH 44199

Ohio Dept of Job & Family Svcs
Attn Program Services/Revenue Recov
PO Box 182404
Columbus, OH 43218

Portfolio Recovery Associates
120 Corporate Blvd Ste 100
Norfolk, VA 23502

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d)PRA Receivables Management, LLC
PO Box 41021
Norfolk, VA 23541-1021

End of Label Matrix	
Mailable recipients	96
Bypassed recipients	1
Total	97